

**Update to Help America Vote Act: Wyoming's State Plan
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This update to Wyoming's Help America Vote Act (HAVA) plan follows the original plan written September 2003 and the previous updates written August 2004, January 2005, September 2005 and October 2007. There were also reports to the U.S. Department of Justice on August 7, 2006 and May 29, 2007 providing updates about Wyoming's efforts and accomplishments toward full HAVA compliance. The original plan, subsequent updates, and information provided to the Department of Justice are posted on the Secretary of State's website at soswy.state.wy.us/election/hava/hava.htm. The State of Wyoming continues to conduct its elections under the guidance of the Help America Vote Act (HAVA) and Wyoming's state statutes. All required aspects of HAVA have been completed and all statewide elections are conducted in accordance with HAVA.

Voting Systems:

As previously reported, Wyoming held a statewide primary election on August 22, 2006, which included federal races. Voting systems which met the standards set forth in Section 301 of HAVA were in place prior to January 1, 2006. After reviewing possible voting systems, twenty counties chose Election Systems & Services (ES&S) and three counties chose Diebold Inc. In the few months following their selection, the state followed up with each company gathering information for due diligence. The state also obtained feedback from those individuals who had served on the state's Voting System Overview Committee as well as the state's primary groups representing the disability community. The state contracted with both companies. All ES&S equipment was deployed, tested and paid for prior to December 15, 2005. All Diebold equipment was delivered prior to January 1, 2006. The twenty counties who selected ES&S equipment use optical scan voting equipment and the AutoMark. The counties who chose Diebold use optical scan equipment and the Diebold DRE. Both contracts are posted on the Secretary of State website at soswy.state.wy.us/election/hava/hava.htm.

Provisional Voting and Public Education:

In regards to provisional voting, Wyoming continues with the process established and utilized for the federal elections in 2004. In addition, Wyoming will also continue with its established process of providing information to the voting public. Both of these topics are addressed in full in the original state plan, have been implemented and remain in effect.

Computerized Statewide Voter Registration List:

As reported previously, Wyoming began the process of obtaining a statewide HAVA compliant voter registration list in March 2003. The Secretary of State appointed a Voter Registration Work Group, consisting of county clerks, county elections staff, county technology staff and Secretary of State employees. Four prominent vendors were invited to display their products to the Work Group. Based upon the Work Group's review of products, the top two vendors were selected. After an attempt to contract with the first choice vendor did not come to reasonable resolution in August 2003, negotiations began with the next vendor who eventually obtained the contract. The state entered into a contract with Accenture e-Democracy services on February 27, 2004. It was anticipated that roll out to counties would begin on September 12, 2005 and the system would be live in all counties by December 18, 2005. However, the state, in conjunction with county clerk representatives, made the decision not to deploy to counties because the software was not ready. Eventually the entire contract with Accenture was terminated in March 2006.

In August 2006, Wyoming provided the Department of Justice with both a short term and long term plan toward full HAVA compliance of a statewide voter registration system. The short term plan was implemented for the 2006 federal elections. The long term plan provided for selection of a vendor to implement a fully HAVA compliant voter registration system by December 2007.

Saber Corp was selected and began implementation of a system in April 2007. A fully compliant system was implemented by December 2007 with a few counties using the system for local elections in May 2008. The system is currently fully operable and will be in use for Wyoming's two federal elections in 2008; the Primary Election will be held August 19, 2008 and the General Election is November 4, 2008.

Voter Education, Election Official Training and Poll Worker Training:

There are many types of training to be conducted to meet HAVA requirements. The contracts for the statewide voter registration system and for both voting systems included a provision for training of those individuals who would use these systems.

In addition, the Secretary of State's Office holds an election conference every election year for training of county election officials. The training was most recently held on January 30-31, 2008.

Universal Access:

Although not a required part of a state's HAVA plan, Wyoming chose to address the issue of universal access to voting. As stated in the original plan, "The State of Wyoming values the participation of its citizens in the election process. Therefore, Wyoming commits to assuring that all citizens, including those with disabilities, can fully participate in the election process by casting their ballots confidentially and independently." Wyoming Protection & Advocacy System, Inc. (P&A) has been particularly helpful during the past two years, especially in educating individuals with disabilities to use new voting systems accurately and encouraging everyone to exercise their right to vote.

In addition, the state has received and disbursed over \$400,000 in federal Health and Human Services (HHS) funds to the counties and to P&A for use in assisting people with disabilities exercise their right and responsibility to vote. Activities have included polling place improvements, provision of assistive equipment and voter education.

Military and Overseas Citizens:

Another part of the HAVA plan which was not required but chosen to be included by Wyoming, concerns Military and overseas voters. Their needs were considered in the development of the statewide voter registration system, in the statutes which have been implemented, and by establishing the Secretary of State's Office as the single office responsible for providing information regarding voter registration procedures and absentee ballot procedures to be used by absent military and overseas voters. The State continues to acknowledge the value of our members of the armed forces and overseas workers and continues to encourage them to exercise their right of citizenship by voting.

Requirements Payments and Fund Management:

Wyoming was a “minimum funded” state under HAVA and therefore was scheduled to receive \$20 million in federal Title I and Title II funds. Since the last HAVA update, Wyoming has not received any additional federal HAVA funds. Therefore, to date, Wyoming remains at receipt of slightly over \$16.6 million. The State of Wyoming appropriated the full state match of \$750,000 in anticipation of receipt of the federal dollars. To date, approximately \$580,000 has been used to match the federal funds received.

Performance Goals and Measures:

Wyoming’s performance goals and measures were listed in the original state plan. Of those original seven goals, the state has met all of the original goals. The goals, as originally established, are listed below.

- Implement state based complaint procedure which meets the requirements of HAVA not later than September 2003
- Implement provisional voting which meets the requirements of HAVA not later than January 1, 2004.
- Implement voting information at polling places not later than January 1, 2004.
- Replace punch card/lever machines not later than January 1, 2006.
- Replace all central count voting equipment (except for the counting of absentee ballots) not later than January 1, 2006.
- Provide 1 DRE (touch screen) voting machine for every polling place not later than January 1, 2006. [All polling places will have accessible equipment, either a DRE or AutoMark (touch screen) machine.]
- Establish a computerized statewide voter registration system that meets the requirements of HAVA not later than January 1, 2006. (After termination of the original voter registration contract, this goal was met December 2007.)

State Plan Management:

As stated in the original plan, the Secretary of State is responsible for the ongoing management of Wyoming’s HAVA plan. However, the Secretary anticipated continued input from County Clerks and many other groups and interested parties. This indeed has continued to be the case. During the past year, county clerks and their staff have been integrally involved in monitoring the design, development, deployment and testing of the statewide voter registration system. County clerks and their staff have also been active in disbursement of the state’s HHS grants and use of those funds for polling place improvements.

As was anticipated and stated in the original plan, and is still true today, “Implementation of such an enormous project will evolve over time; we must address the far-reaching ramifications detail-by-detail and decision-by-decision. Full implementation of the vision will take shape day by day.”